



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

JUL 13 2007

Leonard C. Szymanski  
Mayor  
Village of Sloan  
425 Reiman Street  
Sloan, New York 14212

Dear Mayor Szymanski:

This is in response to your request for a categorical exclusion (CATEX) from substantive environmental review requirements, pursuant to 40 CFR Part 6, for the Village of Sloan's proposed Sanitary Sewer System Upgrade project located in Erie County, New York.

The project, which involves replacement of deteriorated portions of the Village's sanitary sewer system to further reduce excessive infiltration and inflow, may be partially funded through a federal Special Appropriation Act grant.

Based on our review of the supporting documentation, the Environmental Protection Agency (EPA) approves the request for the CATEX. Please be reminded that EPA may revoke this CATEX if any of the following conditions occur:

- changes in the proposed action render it ineligible for exclusion;
- new evidence indicates that serious local or environmental issues exist; or
- federal, state, or local laws would be violated.

Should you have any questions regarding this decision, please address them to John Filippelli, Chief, Strategic Planning and Multi-Media Programs Branch, at the above address.

Sincerely,

A handwritten signature in dark ink, which appears to read "Alan Steinberg", is written over a printed name label.

Regional Administrator

Enclosure

cc: K. Marquis, P.E., Village Engineer

## **ENCLOSURE**

### **Village of Sloan Additional Upgrades to Existing Sanitary Sewer System Erie County, New York Special Appropriation Project**

#### **Background**

The Village of Sloan's sanitary sewer system, installed in the 1930s, is subject to substantial quantities of infiltration and inflow. As a result, during rain events, many residents are subject to sanitary sewage backups into their homes. Therefore, the Village currently resorts to bypass pumping from the sanitary sewers to the storm drainage system to alleviate surcharging and sewage overflows to public areas and residences. In addition, the excessive quantities of infiltration and inflow increase the volume of wastewater that needs to be treated and, the Village is billed on a per gallon basis by the City of Buffalo and the Town of Cheektowaga for wastewater treatment services. As a result, to determine the most cost-effective approach to resolving these sewer problems, the Village prepared a Comprehensive Sanitary Sewer System Report with a priority list of projects to get the overall system to acceptable standards.

#### **Proposed Action**

This proposed project would upgrade/rehabilitate the existing sewer system by replacing deteriorated sanitary sewers at the Atlantic Street, Crocker Street, Jackson Street, Lackawanna Street and Lovejoy Avenue locations within the Village. Sewers at these locations exhibit cracks, misaligned joints, and other various problems contributing to sanitary sewer surcharge and backups to residences. Specifically, the project includes relining existing 8" and 10" diameter clay tile piping in place, restoring/replacing existing manholes, and replacing existing sanitary laterals to the right-of-way limits. Improvements at these areas will reduce the need for bypass pumping to the storm system and will provide a safer water environment within the community.

#### **Alternatives Considered**

In addition to the proposed action, "No Action" was considered. However, no action would result in continued sanitary sewer backups and/or overflows of untreated sanitary sewage to local waterways, which is contrary to federal and state requirements that mandate elimination of such sewage overflows to receiving waters. Furthermore, it would mean that residents would continue to be subject to health hazards and property damage from sewage backups into their homes. In addition, the Village would continue to unnecessarily incur increased charges for wastewater treatment.

### Criteria for Granting a Categorical Exclusion

The project meets the general Categorical Exclusion (CATEX) eligibility criteria found in 40 CFR 6.107(d)(1). The regulations allow CATEXs for activities involving "actions which are solely directed toward minor rehabilitation of existing facilities, functional replacement of equipment, or toward the construction of new ancillary facilities adjacent or appurtenant to existing facilities."

Additionally, the available information on the proposed action indicates that the specific criteria for not granting a CATEX, found in 40 CFR 6.505(c)(1), are not present. Specifically, the project will not result in a new or relocated discharge to surface or ground waters; will not increase the amount of pollutants discharged to receiving waters; nor will it provide capacity to serve a population significantly greater than the existing population. Furthermore, there will be no significant adverse effects on cultural resources, endangered or threatened species, environmentally sensitive areas, or other environmentally important natural resource areas.

### Conclusion

The proposed action conforms to the category of actions eligible for exclusion under 40 CFR 6.107(d)(1). Accordingly, EPA approves this request for a CATEX from detailed environmental review pursuant to our procedures for implementing the National Environmental Policy Act.